

REMARKS/ARGUMENTS

Reconsideration of this application as amended is respectfully requested.

Claims 1-12 and 20-30 remain pending in this application, with claims 13-19 being cancelled in view of the restrictions.

Applicants affirm to electing Group 1, claim 1-12 and 20-30.

Claims 1-6, 11, 12 and 20-30 stand rejected under 35 U.S.C. 103 as being unpatentable over U.S. Patent No. 6,704,876 (Iacobovici) and claims 7, 9 and 10 stand rejected under 35 USC 103 as being unpatentable over Iacobovici and U.S. Patent No. 6,704,876 (Kardachl). Applicants respectfully traverse.

The Examiner states that "Iacobovici does not explicitly teach that the occurrence of the first event is predicted. However Iacobovici teaches that the power dissipation of the CPU is *estimated*, not 100 percent accurate. Therefore, one of ordinary skill in the art would have recognized that Iacobovici obviously predicts when the CPU could be slowed down." Office Action, page 4, paragraph 9. Applicants respectfully disagree.

Applicants respectfully refer the Examiner to Merriam-Webster Dictionary for the definition of predicted and estimated. In the dictionary, predicted is defined as a means to tell about something in advance of its occurrence by means of special knowledge or inference; to foretell. Whereas, estimated means to form an opinion about; evaluate or calculate. Based on these definitions the terms estimated and predicted do not mean the same thing and cannot be considered to be the same.


In summary, for the reasons noted above, the claims are distinguished over the cited art and are in condition for allowance. It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. Favorable action is respectfully solicited. Allowance of the Claims is respectfully requested.

If any additional charges are due, please charge our Deposit Account No. 02-2666.

Respectfully submitted,

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